

MHW

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED

5-5-2008

MAY 5 2008 mb

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Kenneth Boudexter

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

Case No. 08CV2546
(To be assigned to) JUDGE DOW JR.
MAG. JUDGE COX

Cook County Public Defenders

Officers, Sara Porter

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

☒

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

☐

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

☐

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: Kenneth B. Indexter
- B. List all aliases: _____
- C. Prisoner identification number: R06316
- D. Place of present confinement: Western Illinois Correctional Center
- E. Address: 2500 Rt. 99 South

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Public Defendant Defender officers, Sara Porter
 Title: Lamyer
 Place of Employment: Bridgview
- B. Defendant: _____
 Title: _____
 Place of Employment: _____
- C. Defendant: _____
 Title: _____
 Place of Employment: _____

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: Kenneth Ponderster vs. Oakland Park, Oakland Hills, and Officer Ford
- B. Approximate date of filing lawsuit: 10-1-07
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: _____

- D. List all defendants: Oakland Park, Oakland Hills, and Officer Ford

- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): State, Cook County
- F. Name of judge to whom case was assigned: _____

- G. Basic claim made: The police beat the defendant and put a case on him because he was black and in Oakland Park at night
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Still pending

- I. Approximate date of disposition: _____

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

The public defender offices compromised the defendant case and made it so he can't win the case. This was done by not obtaining evidence in a timely matter. That would have help prove his innocence in the matter. Such as video surveillance tape from the night in question, and do too the time elapses the tapes can't be obtained at this time, or have the public defender offices subpoenaed my clothing. The defendant had on the night in question. From Cook County Department of Corrections which is a very important part of the case. Since there was description given.

Also the public defender offices fail to do an full investigation in the case, or talk to any witnesses that may have been at the scene of the crime that night. Which there was. So the public defender offices has no position to make strategic decisions about calling witnesses (People vs truly)

Further more the Public Defender that represented

the defendant at one of his motion hearing was not prepared to agree the motion. She (Sara Porter) had only been assigned to the defendant case two weeks before the hearing and knew nothing about the case or did she try to interview the defendant to find out about the case

With these things stated and more. This clearly show ineffective assistance of counsel under standards set forth by the United States Supreme Court in (Strickland v. Washington 466 U.S. 104 S. Ct 2052, 80 Led 2d 674 (1984) Hayes 192 Ill 2d at 472, 73, 249, Ill dec 779, 737 N.E 2d 169

Also I ask the public defender office in help in filing charges against the officers that put me and put this case on me. But got no help in the matter at all

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

12.5 million and an investigation into the Public Defender office

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this _____ day of _____, 20____

Kenneth Pindexter

(Signature of plaintiff or plaintiffs)

Kenneth Pindexter

(Print name)

RO6316

(I.D. Number)

2500 Rt. 99 South

Mt. St.

(Address)